He needs to go!

Tackling performance problems before the crunch-point

Wendy Blake Ranken, HR Consultant

wendy@blakeranken.clara.co.uk

- We all know that managing performance is important……

Acas guide 'How to manage performance'

- Good performance management helps everyone in the organisation to know:
- what the business is trying to achieve
- their role in helping the business achieve its goals
- the skills and competences they need to fulfil their role
- the standards of performance required
- how they can develop their performance and contribute to the development of the organisation
- how they are doing
- **when there are performance problems and what to do about them.**

- But…….

- We spend time setting up great systems and processes – rigorous, comprehensive, best practice and linked to organisational strategy

- These systems and processes don't always work

▸ Part of the problem is the skills of our managers

- ILM research: only 18% of UK employers expect managers to have received management training before their appointment

- Poor skills mean they don't manage performance

- ILM report: 93% of UK workers are concerned low-level management skills are directly impacting on business

▸ And part of the problem is us in HR………

- HR "too often talks about performance management as an administrative procedure" *Institute for Employment Studies (IES) report 2010*

- 'As physical HR support has often been removed from locations, line managers have often been left with neither the required skills nor the support to implement PM processes effectively.' *Duncan Brown, former Asst General, CIPD*

- 'HR functions have responded with control-oriented attempts at solutions, often inducing a 'not invented here' and 'blame HR' response from the line.' *Employment-Studies.co.uk: Performance Management: can the practice ever deliver the policy?*

The areas we'll be covering

- 1. TOOLS FOR MANAGERS
- Some training tools to help managers be effective, proactive people managers

- 2. DEVELOPING CLEAR STANDARDS OF PERFORMANCE
- Both objectives and competencies

- 2. THE HR ROLE
- Implementing a proactive approach to managing and developing performance

1.Tools for managers

▸ A tool for debate on the different responsibilities of management

Adair's action-centred leadership

- A tool to help managers with everyday feedback

Giving FEEDback

Frame the discussion

Outline the purpose of the discussion

Evidence

Give specific examples

Evaluation

Explain the impact on others, the organisation etc

Dig beneath the surface

Ask for any reasons

Giving feedBACK

Behaviour not personality — Focus on what they did not who they are

Acknowledge positives — Identify behaviours/skills to build on

Constructive discussion — Explore ideas for a way forward

Keep it simple — No more than 3 key points to leave them with

▸ A tool to help managers with more fundamental performance problems

Raising performance issues as a gap………

- State the **P**erformance concern

- Compare **E**xpectations

- Identify the **G**ap

Stating the Performance concern

- Get to the point – make a clear, assertive general performance statement
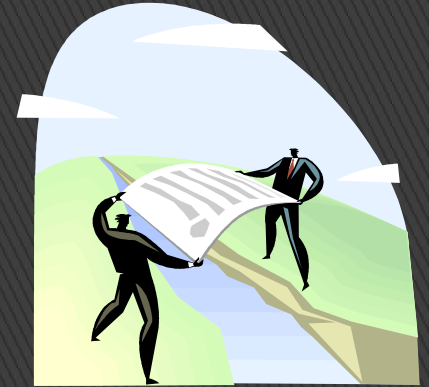
- Follow up with a specific performance statement

Compare Expectations

▸ Check the employee's understanding of expectations:

'It may be that I need to be a bit clearer on my expectations. Tel me what did you understand was expected of you?'

▸ Now explain your expectations

Agree the Gap

- Gap between your expectations and what the other person is delivering should now become clear
- Should be possible to agree the gap

Didn't know what to do	**Didn't know wasn't doing what was expected**
Can't do it	Won't do it

2. Developing clear standards of performance (objectives and competencies)

Setting objectives

S pecific

M easurable

A chievable

R elevant

T ime bound

- Working with managers to develop competency statements

Experience at Creative & Cultural Skills

- Draft competency headings developed, based on:

- Organisational strategy
- Organisational values
- Adair's action-centred leadership model
- IiP framework areas

- Staff worked on headings, to define positive and negative behaviours against each
- All staff involvement
- A learning process in itself

The competencies

- Committed to learning and improving
- Commercial and enterprising approach
- Productive relationships
- Positive attitude
- Delivers results

- Task leader
- Leader of individuals
- Leader of teams

'Positive attitude'

- Manages time to be punctual to work and meetings
- Prepares for planned supervisions and appraisals
- Listens actively to understand what needs to be done
- Adopts a 'can do', helpful attitude and takes on additional responsibility/new tasks when required, within capacity
- Goes the extra mile – willingly accepts the task
- Focuses on the organisational priorities and what will make a difference to the business

'Positive attitude' – negative indicators

- Frequently late to work and/or to meetings
- Fails to take on board what needs to be done
- Does not prepare for meetings
- Blames others
- Cannot be relied on to do as they say they will
- Not there when needed

'Leader of individuals'

- Gives honest and open feedback on a regular basis
- Holds regular structured 1-1 meetings
- Uses 1-1 meetings to support individuals with plans, problems and challenges
- Takes objective, prompt and decisive action to deal with poor performance
- Identifies a training and skills plan for each staff member
- Coaches and mentors staff to help them achieve
- Gives recognition and praise to individuals
- Adapts leadership styles to the skills, strengths and needs of different staff members

'Leader of individuals' – negative indicators

- Restricts staff development by failing to give feedback
- cancels 1-1 meetings frequently
- Uses 1-1 meetings to complain about the company or talk about self
- Lets poor performance persist without taking action
- No training and skills plan for staff members
- Poor engagement in staff development
- Devolves responsibility without support
- Takes the credit, allocates the blame

Competencies – learning from using them

- Early days but..........

- A definite common language – for recruitment and performance development

- Used in 1-1 meetings and in team meetings

- 'When staff are filling in the forms in advance of the appraisal, they are picking the positive and negative indicators and aligning them to themselves'

More competencies – Acas guide to PM

- Focusing on customers
- Learning new job skills
- Focusing on goals
- Teamwork
- Communicating effectively
- Solving problems
- Being flexible
- Embracing change
- Knowing the business
- Being creative
- Developing self and others
- Planning and organising
- Leading and deciding

3. THE HR ROLE – a proactive approach

The way we manage influences how people behave.....

- Leadership which transmits vision and values and how the individual contributes
- Managers who facilitate and empower rather than control and restrict
- Giving employees opportunity to voice views/concerns
- Behaviour throughout the organisation which is consistent with stated values

- *(2009 McLeod report to Government on employee engagement)*

So what does HR need to do?

- Collaborate with senior managers
- Be a role model and coach
- Make it easy
- 'Best fit' documentation, rather than 'best practice'
- Involve employees as well as managers
- Train to improve the quality of conversations
- Effective influencer not police officer
- Catch managers 'doing it right'
- Clarify duty to act
- Tackle the poor managers

4. And finally…
   when we need to agree to part…

Settlement agreements

▸ Settlement offers/discussions held/made:
  ◦ With a view to termination on agreed terms
  ◦ Will be inadmissible in ordinary unfair dismissal claims

▸ Wont cover:
  ◦ Automatically unfair dismissals
  ◦ Discrimination
  ◦ Breach of contract claims

▸ Acas launched draft Code on settlement agreements on 12/02/13

Acas draft Code on settlement agreements

- Either party may propose settlement
- Must make reason for the offer clear
- Put offer in writing and set out next steps if offer rejected
- Give individuals a reasonable time to respond
- Put no pressure on to settle – code gives examples of improper conduct
- Standard letters

Settlement agreements - issues

- No need for existing dispute so wider than without prejudice discussions
- But will anything change given potential for:
  - Settlement offer to be admissible in evidence in a different claim
  - Grievances following an employer's approach
  - Breaching implied term of trust and confidence